

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martínez
Paul B. Hernández
Lourdes Lozano

City Council Agenda

June 27, 2017

7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilwoman Isis Garcia-Martinez

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

1. Announcement of Amendments/Corrections to the Agenda
2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on June 13, 2017. (OFFICE OF THE CITY CLERK)
- B. Report or Scrivener's Error – Item C of the City Council Meeting of June 13, 2017 was approved with the incorrect amount and incorrect car dealership vendor. The City Council approved the purchase of (3) three new Chevrolet Silverados 1500 crew and (3) three Chevrolet Silverado Double crew from Rountree-Moore Chevrolet Cadillac in the amount of \$146,226. The item needs to be amended to reflect the expenditure amount as *\$147,426* and the vendor car dealership as *Auto Nation Chevrolet* located at 8600 Pines Boulevard, Pembroke Pines, Florida 33024. (BUILDING DEPT.)
- C. Request permission to issue a purchase order to Hazen and Sawyer, P.C., a vendor recommended by the City's Selection Committee in 2010 for engineering services, for the management of the sanitary sewage pump station rehabilitation program, as well as to conduct CEI services, in a total cumulative amount no to exceed \$140,790 for phase II and Pump Station 150 with the cost being divided as follows: \$35,197.50 in fiscal year 2017 and \$105,592.50 for future allocations. (DEPT. OF PUBLIC WORKS)
- D. Request permission to award Hialeah Invitation to Bid #2016/17-9500-00-008-*Pump Station 150 Upgrades* to Stonehedge, LLC, lowest responsive bidder, in a total cumulative amount not to exceed \$937,434, in addition to a fifteen percent (15%) contingency of \$140,615.10 to be exercised solely at the discretion of the City, for a total cumulative expense amount not to exceed \$1,078,049.10 with the cost being allocated as follows: \$234,358.50 in fiscal year 2017 and \$703,075.90 in fiscal year 2018. (DEPT. OF PUBLIC WORKS)
- E. Request permission to award Hialeah Invitation to Bid #2016/17-9500-00-010-*Pump Station Improvement Program Phase II* to Stonehedge, LLC, lowest responsive bidder, in a total cumulative amount not to exceed \$2,166,724, in addition to a fifteen percent (15%) contingency of \$325,008.60 to be exercised solely at the discretion of the City and not included in the contract price, for a total cumulative expense amount not to exceed \$2,491,732.60 with the cost being allocated as follows: \$541,681 in fiscal year 2017 and \$1,625,043 in fiscal year 2018. (DEPT. OF PUBLIC WORKS)
- F. Request permission to issue a purchase order to Hazen and Sawyer, P.C., a vendor recommended by the City's Selection Committee in 2010 for engineering services, for the management of the sanitary sewage pump station rehabilitation program, as well as to conduct CEI services, in a total cumulative amount not to exceed \$231,180 for services for Pump Station 106 upgrades with the cost being divided as follows: \$57,795 in fiscal year 2017 and \$173,385 for future allocations. (DEPT. OF PUBLIC WORKS)
- G. Request permission to award Hialeah Invitation to Bid #2016/17-9500-00-006-*Pump Station 106 Improvements* to Kiewit Infrastructure Co., lowest responsive bidder, in a total cumulative amount not to exceed \$5,436,000, in addition to a fifteen percent (15%) contingency of \$815,400.00 to be exercised solely at the discretion of the City and not included in the contract for a total cumulative expense amount not to exceed \$6,251,400

with the cost being allocated as follows: \$1,359,000 in fiscal year 2017 and \$4,892,400 in fiscal year 2018. (DEPT. OF PUBLIC WORKS)

- H.** Request permission to award Hialeah Invitation to Bid #2016/17-9500-00-003-*Pump Station Improvement Program Phase I* to G P E Engineering & General Contractor Corp., lowest responsive bidder, in a total cumulative amount not to exceed \$3,438,082.49, in addition to a fifteen percent (15%) contingency of \$515,712.37 to be exercised solely at the discretion of the City and not included in the contract, for a total cumulative expense amount not to exceed \$3,953,794.86 with the cost being allocated as follows: \$988,448.72 in fiscal year 2017, and \$2,965,346.15 in fiscal year 2018. (DEPT. OF PUBLIC WORKS)
- I.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., a vendor recommended by the City's Selection Committee in 2010 for engineering services, for the management of the sanitary sewage pump station rehabilitation program, as well as to conduct CEI work, in a total cumulative amount not to exceed \$82,872 for phase I pump station upgrades with the cost being divided as follows: \$20,718 in fiscal year 2017 and \$62,154 in fiscal year 2018. (DEPT. OF PUBLIC WORKS)
- J.** Request permission to waive competitive bidding, since it is advantageous to the City in that for the past several years the City has standardized the use of FLYGT submersible pumps and attributes to facilitate the repair and maintenance of the stations and increase their reliability, and increase purchase order # 2017-812, issued to Xylem Inc., for the repair, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating the department's sewer pump stations, by an additional amount of \$200,000, for a new total cumulative amount not to exceed \$450,000. (DEPT. OF PUBLIC WORKS)
- K.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been providing printing services to the City's Department of Public Works for the past several years, and increase purchase order # 2017-813, issued to Olmedo Printing Corporation, for printing services to include the printing of utility bills, envelopes and the annual Water Quality Report, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$80,000. (DEPT. OF PUBLIC WORKS)
- L.** Request permission to issue a purchase order to Milian, Swain & Associates, Inc., one of the firms approved by the City Council on June 8, 2010 for City engineering services, to provide engineering staff support for a period of twelve (12) months, in a total cumulative amount not to exceed \$371,267.70. (DEPT. OF PUBLIC WORKS)
- M.** Request permission to issue a purchase order to The Avanti Company, sole source vendor, to conduct flow monitoring, in a total cumulative amount not to exceed \$44,157. (DEPT. OF PUBLIC WORKS)
- N.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Fortiline, Inc., vendor providing the lowest quotation, for the purchase of pipes, materials, supplies and backflows, in a total cumulative amount not to exceed \$16,803.15. (DEPT. OF PUBLIC WORKS)

- O.** Request permission to waive competitive bidding, since its advantageous to the City in that this vendor is familiar with the materials and the requirement of the City's Department of Public Works, and issue a purchase order to Ferguson Enterprises, Inc., for the purchase of pipe, materials, supplies and backflows, in a total cumulative amount not to exceed \$31,151.20. (DEPT. OF PUBLIC WORKS)
- P.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Green Equipment Company, sole source vendor, for Radio detections RD1100 and RD1500 Ground Penetrating Radar to be used to locate ultra-traceable water and sewer lines, in a total cumulative amount not to exceed \$27,750. (DEPT. OF PUBLIC WORKS)
- Q.** Request permission to utilize City of Pompano Beach Bid No. L-24-16- *Cured In Place Pipe Rehabilitation*, since it is advantageous to the City, and issue a purchase order to Insituform Technologies, LLC, for waste and sewer lining, in a total cumulative amount not to exceed \$135,259.80. (DEPT. OF PUBLIC WORKS)
- R.** Request permission to utilize a term contract between City of Plantation and LMK Pipe Renewal, LLC. for Gravity Sewer Lateral Rehabilitation pursuant to Invitation to Bid No. 042, since it is advantageous to the City, and issue a purchase order to LMK Pipe Renewal, LLC, for lateral lining, in a total cumulative amount not to exceed \$40,617.90. (DEPT. OF PUBLIC WORKS)
- S.** Request permission to waive competitive bidding, since it is advantageous to the City, vendor providing the lowest quotation for two of the three items to be purchased, and issue a purchase order to Fortiline, Inc., to purchase pipe, materials, supplies, hydrants, meters, meter boxes, covers and lids, in a total cumulative amount not to exceed \$25,914.60 for one inch and two inch DLJ meters. (DEPT. OF PUBLIC WORKS)
- T.** Request permission to waive competitive bidding, since it is advantageous in that this vendor is familiar with the requirements of the City's Department of Public Works and is one of the few laboratories certified to conduct these types of test, and issue a purchase order to Florida-Spectrum Environmental Services, Inc., to conduct required water quality testing as needed to verify that the water plant operations meet the requirements of the service contract, in a total cumulative amount not to exceed \$170,000, with Miami-Dade Water and Sewer Department reimbursing the City for half of the expense. (DEPT. OF PUBLIC WORKS)
- U.** Request permission to increase purchase order # 2017-400, issued to Pat's Pump & Blower, L.L.C., sole source vendor of water pump parts and services for Aquatech sewer cleaner trucks, and issue a purchase order to Pat's Pump & Blower, L.L.C., for the purchase of water pump parts and services for Aquatech sewer cleaner trucks, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)
- V.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2017-160, issued to Cummins Inc., d/b/a Cummins Power South,

to purchase truck parts and services, by an additional amount of \$25,000, for a new total cumulative amount not to exceed \$70,000. (FLEET MAINTENANCE DEPT.)

- W.** Request permission to increase purchase order # 2017-737, issued to Law Enforcement Psychological and Counseling Associates, Inc., whose primary psychologist is Mark Axelberd, Ph.D., to provide psychological screening services for the hiring of certified police officers, firefighters and the Employee Assistance Program, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$45,000. (HUMAN RESOURCES DEPT.)
- X.** Proposed resolution authorizing a “piggy back contract” pursuant to Hialeah Code of Ordinances §2-818 and authorizing the City to enter into an agreement with Office Depot, Inc., for office supplies; providing for authorization; and providing for an effective date. (PURCHASING DIV.)
- Y.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor continues to be the only local company that can offer all the necessities such as police uniforms and equipment all in one place, and issue a purchase order to Lou’s Police Distributors, Inc., to pay for police uniforms and related accessories for the remainder of the 2017 fiscal year, by an additional amount of \$26,000, for a new total cumulative amount not to exceed \$71,000. (POLICE DEPT.)
- Z.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is capable of repairing the City’s new and old fuel management systems correctly being that this vendor originally installed the City’s fuel management system and the City’s Fleet Maintenance Department has been using the services for approximately twenty (20) year, and increase purchase order # 2017-851, for repair and certification of fuel stations, by an additional \$10,000, for a new total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)
- 3.** Second reading and public meeting of proposed ordinance repealing and rescinding Subdivision IV in Chapter 98 entitled “Zoning”, Article VI, Division 12 of the Code of Ordinances of the City of Hialeah, Florida and replacing it with a new Subdivision IV entitled “Wireless Telecommunications Towers and Antennas” to update provisions for the placement of Wireless Telecommunications Towers and Antennas; providing for enforcement and administration; providing for reservation of rights; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; providing for a savings clause; providing penalties for violation hereof; providing for inclusion in code; and providing for an effective date. (ZONING)
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| <i>Item was postponed on February 14, 2017 until further notice.</i> |
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| <i>Item was approved by the City Council on first reading on January 24, 2017. Second reading and public hearing was scheduled for February 14, 2017.</i> |
- 4.** First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article VI. Supplementary District Regulations, of the Code of Ordinances of the City of Hialeah, Division 10 entitled “Parking”, by revising section 98-2189 entitled “Minimum Required

Off-Street Parking Spaces” to provide for parking for warehouse distribution and storage buildings in the Business Development District (BDH); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved by the Planning and Zoning Board on June 14, 2017.

5. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, of the Code of Ordinances of the City of Hialeah, Division 26 entitled “Transit Oriented Development District”, and in particular to revise section 98-1545 entitled “Parking Standards” to provide for reduced parking requirements within three hundred feet of a rail station; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved by the Planning and Zoning Board on June 14, 2017.

6. First reading of proposed ordinance amending Ordinance No. 2016-64 that created in Chapter 98 entitled “Zoning”, Article V. zoning district regulations, of the Code of Ordinances of the City of Hialeah, Division 26 entitled “Transit Oriented Development District”, by adding a new section, section 98-1560 entitled “Review of Regulations”; providing for sunset evaluation and expiration of approvals; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved by the Planning and Zoning Board on June 14, 2017.

7. Board Appointments-
8. Unfinished Business –
9. New Business -
10. Comments and Questions –

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor’s approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor’s signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance granting a variance permit to allow 57 parking spaces, where a total of 80 spaces are required; 7 back-out spaces only allowed in Low Density Residential Districts; and 8 on-street parking spaces pursuant to § 98-2192(a) and (b); a 2% pervious area, where 10% is required; and waiving the 7-foot landscape buffer along the

north and east side of the entire length of the property located at 3270 East 11th Avenue required by the latest edition of the City of Hialeah Landscape Manual § D(7); properties zoned M-1 (Industrial District); all contra to Hialeah Code of Ordinances §§ 98-2186, 2189(7) and (15), 98-2197(a) and § E of the latest edition of the City of Hialeah Landscape Manual. **Properties located at 3251 and 3270 East 11th Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective. (*Applicant: Shaghai Miami Way*)

Item was approved by the City Council on first reading on June 13, 2017. Second reading and public hearing was scheduled for June 27, 2017.

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on May 24, 2017.

Owner of the Property: Shanghai Miami Way, 3251 East 11 Avenue, Hialeah, FL. 33013

PZ 2. First reading of proposed ordinance rezoning from R-1 (One Family District) to P (Parking) to construct a parking lot to accommodate overflow parking of the adjacent residential office; **property located at 210 East 49th Street, Hialeah, Florida;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Olsabe LLC*)

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on June 14, 2017.

Owner of Property: Olsabe LLC, 2441 SW 37 Avenue, Miami, FL. 33145

PZ 3. First reading of proposed ordinance rezoning property from R-2 (One and Two Family Residential District) to R-3-3 (Multiple Family District); and granting a variance permit to allow lot coverage of 32.4 percent, where a maximum of 30 percent is allowed; a previous area of 20.68 percent, where 30 percent is required; allow a front setback of 10.59 feet, where 25 feet are required; north side setback of 7 feet, where 10 feet are required; and rear setback of 9.98 feet, where 20 feet are required; all contra to Hialeah Code of Ordinances §§ 98-2056(b)(1) and (2), 98-589, 98-590, and 98-591; **property located AT 2400 West 5th Way, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date. (*Applicant: Ceasar Mestre, Esq. as representative*)

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on June 14, 2017.

Owner of Property: CSC Realty Management, LLC.,

LAND USE AMENDMENTS

- LU 1.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low-Medium Density Residential to High Density Residential; **property located at 423 East 27th Street, Hialeah, Florida**, zoned R-3 (Multiple Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Marcelo O'Shea and Betina Arazi*)

Item was approved by the City Council on first reading on June 13, 2017. Second reading and public hearing was scheduled for June 27, 2017.

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on May 24, 2017.

Owner of the Property: Marcelo O'Shea and Betina Arazi, 2600 Island Blvd., #2002, Aventura, FL 33160

- LU 2.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Medium Density Residential to Commercial; **property located south of NW 170th Street, east of NW 97th Avenue and west of Interstate Highway 75 (I-75), Hialeah, Florida**, zoned AU (Agriculture), MDC designation; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Alejandro J. Arias, Esq., on behalf of Atlas Hialeah Heights, LLC*)

Item was approved by the City Council on first reading on June 13, 2017. Second reading and public hearing was scheduled for June 27, 2017.

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on May 24, 2017.

Owner of the Property: Pending information from Planning and Zoning Department

- LU 3.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential; **property located at 170 East 34th Street, Hialeah, Florida**, zoned R-3 (Multiple Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Juan A. Rodriguez and Mirta C. Rodriguez*)

Item was approved by the City Council on first reading on June 13, 2017. Second reading and public hearing was scheduled for June 27, 2017.

Planners Recommendation: Approval

Item was approved by the Planning and Zoning Board on May 24, 2017.

<i>Owner of the Property: Juan A. & Mirta Rodriguez, 3295 West 4 Avenue, Hialeah, FL 33012</i>
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NEXT CITY COUNCIL MEETING: Tuesday, August 8, 2017 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 22, 2017 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).